

## **ORDINANCE NO. O2014-008**

**AN ORDINANCE** of the City Council of the City of Tumwater, Washington, amending Chapter 18.50 of the Tumwater Municipal Code related to off-street parking (amending Ordinance Nos. O2011-006; O2011-002; O2010-017; O2010-014; O2008-016; O2006-019; O98-009; O97-015).

**WHEREAS** the City of Tumwater has adopted a Comprehensive Plan in accordance with the State Growth Management Act (GMA); and

**WHEREAS** the GMA requires that the City of Tumwater adopt development regulations, including zoning, that are consistent with and implement its Comprehensive Plan; and

**WHEREAS** the State Environmental Policy Act, the GMA, county-wide Planning Policies, and internal goals and policies of the Tumwater Comprehensive Plan encourage efficient use of land and resources; and

**WHEREAS** Washington State Commute Trip Reduction and county-wide Planning Policies attempt to encourage alternative transportation and reduce vehicular transportation; and

**WHEREAS** over-supplying off-street parking is a significant use of land and resources, and inhibits alternative transportation practices; and

**WHEREAS** a parking occupancy study was conducted within the City of Tumwater between Fall 2013 and Spring 2014 which showed evidence of over-supplied parking inefficiencies; and

**WHEREAS** the City of Tumwater has prepared the amendments to the Municipal Code that are included in this ordinance, in accordance with the City of Tumwater Citizen Participation and Intergovernmental Coordination Policy (Resolution No. 418); and

**WHEREAS** these amendments meet the intent of and are consistent with the State Environmental Policy Act, the Washington State Growth Management Act, County-wide Planning Policies, and internal goals and policies of the Tumwater Comprehensive Plan; and

**WHEREAS** the City of Tumwater forwarded the amendment to the Washington State Department of Commerce for review, as required by RCW 36.70A.106; who acknowledged receiving the amendment on July 16, 2014; and

**WHEREAS** a Determination of Nonsignificance was issued on July 10, 2014, in accordance with the State Environmental Policy Act (SEPA) (chapter 43.21C RCW) and in compliance with Chapter 16.04 of the Tumwater Municipal Code; and

**WHEREAS** the Attorney General Advisory Memorandum: Avoiding Unconstitutional Takings of Private Property (Dec. 2006) was reviewed and utilized by the City in objectively evaluating the amendments proposed by this ordinance; and

**WHEREAS** the Tumwater Planning Commission held a public hearing on July 22, 2014, and considered all testimony and evidence before making a recommendation to City Council; and

**WHEREAS**, the Tumwater Planning Commission has recommended approval of the proposed amendments to the Tumwater City Council; and

**WHEREAS**, the Tumwater City Council reviewed the amendments at a worksession held on September 9, 2014; and

**WHEREAS** the Tumwater City Council, finds that the amendments support the health, safety and welfare and are in the best interests of the residents of the City of Tumwater;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TUMWATER, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** Chapter 18.50 of the Tumwater Municipal Code is hereby amended to read as follows:

## **Chapter 18.50 OFF-STREET PARKING**

**Sections:**

- 18.50.010 Intent.
- 18.50.020 Parking and loading general regulations.
- 18.50.030 Residential off-street parking.
- ~~18.50.040 Parking facility location.~~
- ~~18.50.050 Prohibited within required yard areas.~~
- 18.50.060 Off-street parking areas – Design requirements.
- 18.50.070 Required number of off-street parking spaces standards.
- 18.50.075 Modification of off-street parking space standards.
- 18.50.080 ~~Administrative modification~~On-street parking credit.

18.50.090 Shared and combined parking facilities.

18.50.100 Banked parking. Penalty provision.

18.50.110 Purchased credits.

18.50.120 Required bicycle facilities.

#### **18.50.010 Intent.**

The intent of this chapter is:

A. To provide accessible, attractive and well-maintained off-street parking facilities;

B. To reduce traffic congestion and hazards;

C. To encourage efficient land use and alternative transportation strategies by promoting an equitable balance of parking needs and pedestrian accessibility. To protect neighborhoods from the unwanted effects of vehicular traffic and parking generated by adjacent nonresidential land use districts;

D. To ensure the maneuverability of emergency vehicles;

E. To provide aesthetically pleasing parking facilities in proportion to individual land use needs; and

F. To decrease unnecessary areas of impervious surfaces; and

G. To appropriately apply environmental best practices to parking construction and regulation.

(Ord. O97-015, Added, 03/03/1998)

#### **18.50.020 Parking, and loading and bicycle facility general regulations.**

A. Off-street parking, and loading spaces, and bicycle facilities shall be provided in accordance with the provisions of this chapter when any of the following situations occur. These provisions apply to all uses and structures in all land use districts unless otherwise specified by this chapter.

1. When a principal or accessory building is erected.

2. When a principal or accessory building is relocated or expanded.

3. When a use is changed to one requiring more or less parking or loading spaces.

B. Required Plans. Building permits and city business licenses shall not be issued until there is an approved site plan identifying parking and loading facilities in accordance with this chapter.

C. ~~Unlawful Removal – It is unlawful to discontinue prior approved parking facilities without establishing alternate facilities that meet the requirements of this chapter.~~ Parking, and loading, and bicycle facilities meeting the requirements of this chapter shall be maintained as long as the use they serve is in existence shall not be discontinued unless alternative facilities are established. These facilities shall not be reduced in total unless approved alternatives are provided in compliance with this chapter, a shared or combined parking agreement is canceled,

or a change in occupancy or use of a premises has occurred which results in a reduction of required parking.

D. ~~Use of Facility.~~— The property owner is responsible for ensuring that parking and loading facilities are only used by ~~tenants, employees, social/business visitors or other persons~~ or uses for which the facilities are provided, including ~~shared, and combined, or leased~~ parking.

E. ~~Off-Site Parking.~~— Parking lots may be established as a separate and primary land use in zones where they are listed as permitted or conditional uses.

F. Location – Off-street parking facilities may be provided either on site or within a one-quarter mile (1320ft) walk of the primary entrance to the building unless otherwise specified. Off-street parking spaces shall not be allowed within yard areas except for residential off-street parking as provided in TMC 18.50.030(D).

~~For landscaping requirements refer to TMC Chapter 18.47.~~

G. ~~Unlisted Uses.~~— Any use clearly similar to any of the uses listed in TMC 18.50.070 as determined by the community development director shall meet the requirement for such use. If a similarity of use is not apparent, the community development director may require a parking demand study or determine the standards that should be applied to the use in question.

~~H. On-Street Credit – Commercial. All commercial properties located adjacent to a public right of way where on-street parking is permitted may receive credit for one off-street parking stall for each twenty linear feet of abutting right of way for parallel parking, and 13.3 linear feet of abutting right of way for diagonal parking, excluding curb cuts; provided, that the public works director must approve a proposal for diagonal parking within a public right of way. This provision shall be applied for on-street parking on the same side of the street as the proposed land use, or on the opposite side of the street if adjacent property does not have the potential for future development. All parking for employees must be provided on-site.~~

~~Note: In this instance, all fractions are rounded down.~~

~~II.~~ When the number of required parking spaces or bicycle spaces for a particular use or building results in a fractional space, any fraction less than one-half shall be disregarded and any fraction of one-half or greater shall be counted as one required space, except for on-street credit wherein fractions shall be disregarded.

~~IJ.~~ Maintenance.— It shall be the duty of the owner(s) of a required parking area to maintain the area in a safe condition and in compliance with TMC 18.50.060.

J. Penalty – Any person found to have violated any of the provisions of this chapter shall be deemed to have committed a class 1 civil infraction pursuant to TMC Chapter 1.10.

Provided Further, each day of continuing violation shall be considered a separate and distinct civil infraction.

(Ord. O2011-002, Amended, 03/01/2011; Ord. O98-009, Amended, 10/20/1998; Ord. O97-015, Added, 03/03/1998)

#### **18.50.030 Residential off-street parking.**

A. Required residential off-street parking spaces shall consist of an uncovered parking area, garage, carport, or combination thereof; ~~and shall be located on the premises they are intended to serve; and shall have a hard surface as approved by staff, such as concrete, asphalt or turfstone; provided, that a garage shall not count towards meeting residential off-street parking requirements where on-street parking is prohibited on the street serving the residence.~~

~~B. Accessory parking spaces in addition to required parking are allowed only on prepared surfaces such as concrete, asphalt, turfstone or gravel.~~

BC. Required parking spaces and driveways shall have a hard surface approved by the city, such as concrete, asphalt, or turfstone. Driveways must consist of a hard surface as approved by staff, except that driveways served by gravel roadways, and auxiliary parking spaces in excess of required parking, may be surfaced with gravel. Existing lots of record one acre or larger in size, located in a residential zone, and legally established prior to December 31, 1998, shall have the option of using gravel as a surface material for off-street parking spaces and driveways. Gravel parking areas and driveways shall be designed to not track material into the public right-of-way to the satisfaction of the community development director and shall have a hard surface apron a minimum of 5 feet wide adjacent to hard-surfaced public roads.

~~D. Permanent parking spaces for single-family units and duplexes may be allowed in any yard if located within an approved driveway which is at least five feet from the adjoining property line and is not within the "sight triangle" as defined in Section 4.16 of the Tumwater development guide.~~

C. Off-street parking spaces for single family units and duplexes shall not be allowed within required yard areas, except within an approved driveway which is at least 5 feet from the adjoining property line or shared with the neighboring lots.

~~E. Existing lots of record one acre or larger in size, located in a residential zone, and legally established prior to March 3, 1998, shall have the option of using gravel as a surface material for off-street parking spaces and driveways.~~

(Ord. O97-015, Added, 03/03/1998)

#### **18.50.040 Parking facility location.**

~~A. Parking facilities may be provided either on the same premises with the parking generator or in any parking facility, the property line of which is located within one-quarter mile (one thousand three hundred twenty feet) of the primary entry area to the building.~~

~~B. High Occupancy Vehicles — Stall Location. All employers required to operate high-occupancy vehicles (HOV) shall mark the closest parking spaces to the building~~

~~entrance "Reserved for HOV." These spaces shall not displace required accessible parking.~~

~~(Ord. 097-015, Added, 03/03/1998)~~

**~~18.50.050 Prohibited within required yard areas.~~**

~~Off-street parking spaces shall not be allowed within required yard areas, except for residential off-street parking as provided in TMC 18.50.030(D).~~

~~(Ord. 097-015, Added, 03/03/1998)~~

**18.50.060 Off-street parking areas – Design requirements.**

The following requirements shall apply to ~~an~~ off-street parking areas ~~to~~ accommodating four or more vehicles ~~excluding single-family residential and duplexes.~~

A. Each parking area shall be designed to enable ingress ~~and~~ egress without requiring the vehicle to back over sidewalks, property lines or onto any roadway with a speed limit over 25 miles per hour, or onto a roadway that may pose inherent risks to traffic and safety to be determined by the public works director.

B. Parking areas shall ~~should~~ be designed to:

1. Utilize ninety-degree parking if most efficient if possible;
2. Orient parking rows perpendicular to the building to enhance pedestrian safety when possible;
3. Define stalls with white, or otherwise visible and uniform striping a minimum of four inches wide to facilitate movement and maintain an orderly parking arrangement;
4. Minimize unnecessary impervious surfaces; and
5. Ensure access to public transportation through the design of internal roadways, parking areas, and pedestrian paths.

C. Parking facilities should provide for pedestrian accessibility between uses for transportation efficiency. Parking spaces shall be defined by white striping a minimum of four inches wide to facilitate movement and to maintain an orderly parking arrangement.

D. Sidewalks or walkways shall be designed to ensure pedestrian safety by separating any driveway or parking area from a building or roadway. Parking spaces must utilize approved wheelstops to prevent vehicle overhang of a sidewalk or walkway. (See interlock reduction in Figure 18.50.060(A).)

E. The surface of all parking and vehicle maneuvering areas used more than 1 day per month shall have an approved hard surface such as asphalt, concrete or turfstone unless a hard surface would interfere with proper operations (such as in some industrial or agricultural uses). Parking or maneuvering areas that do not use an approved hard surface shall use an approved prepared surface, such as gravel. Prepared surfaces shall be designed to not track material into the public right-of-way to the satisfaction of the community development director and shall have a

hard surface apron a minimum of 5 feet wide adjacent to hard-surfaced public roads.

F. Landscaped islands or dividers ~~shall~~may be required at the end of parking bays to clearly define traffic and turning patterns.

G. Parking facilities shall comply with the ~~provisions for landscaping provisions,~~ as set forth in TMC Chapter 18.47.

H. Parking facilities shall be designed and maintained in accordance with the ~~composite parking standards in Figure 18.50.060(A) and Figure 18.50.060(B). A “composite parking stall” is defined as the minimum stall size for parking comfort (“one size fits all”) and is based on average dimensions using thirty percent of spaces averaged as compact car dimensions and seventy percent of spaces averaged as standard car dimensions. This is the current national average mix. These standards assume a two-way traffic flow through the parking facility.~~

I. Accessible parking shall be provided in accordance with the building code, TMC Chapter 15.04.

J. Required high occupancy vehicles – All employers required to operate high occupancy vehicles (HOV) shall mark the closest parking spaces to the building “Reserved for HOV.” These spaces shall not displace required accessible parking.

~~K. Parking lot lighting not exceeding twenty-four feet in height is required to provide safe access for pedestrians unless otherwise specified. All outdoor artificial light sources shall comply with 18.40.035 Exterior Illumination. Outdoor lighting and aerial mounted floodlighting shall be shielded from above in such a manner that the bottom edge of the shield shall be below the light source. Said lighting shall be shielded so that the direct illumination shall be confined to the property boundaries of the light source. Ground mounted floodlighting or light projection above the horizontal plane is prohibited between midnight and sunrise. Temporary outdoor lighting intended to advertise a temporary promotional event shall be exempt from these requirements, but must comply with provisions of TMC Chapter 18.44. A plan for proposed lighting shall be submitted to the community development department for review and approval prior to final site plan approval.~~

L. Employers with one hundred or more employees which use an administrative modification specified by 18.50.075(B) to increase parking must meet the following design elements:

1. Double the amount of interior landscaping required under TMC Chapter 18.47 within the parking lot. Fifty percent of this requirement, if proven to be maintained, may be Grasscrete, Turfblock or other drivable pervious surface within areas receiving sporadic use: usually the furthest from the building entrance.

2. Purchase and install a transit shelter to meet Intercity Transit operation needs unless already available within ¼ mile and on the same side of the right-of-way as a primary entrance to the building. Intercity Transit may waive this requirement if it finds it impractical or may change the distance depending on density or demand.

3. Construct a transit pullout if subsection (M)(2) is used, and if Intercity Transit finds it practical.

4. If transit requirements in subsection (M)(2) and (M)(3) are deemed impractical or infeasible, credit may be given for other Intercity Transit or Thurston Regional Planning Council demand management strategies to the satisfaction of the community development director.

5. Construct a covered bicycle rack with secure bicycle lockers in accordance with TMC 18.50.120.

6. In those instances where site constraints impede these design elements, written findings of fact shall be made identifying site and project constraints, and shall be identified in the final project approval letter.

(Ord. O2010-017, Amended, 12/21/2010; Ord. O97-015, Added, 03/03/1998)

#### **18.50.070 Required number of off-street parking space standards.**

A. Required off-street parking spaces shall be calculated using the standards outlined in Figure 18.50.070(A). Required spaces Standards represent minimum and maximum numbers unless otherwise noted. Standards may be modified in accordance with TMC 18.50.075. An increase or decrease in the number of off-street parking spaces requires a modification in accordance with TMC 18.50.080.

B. Parking spaces provided within a parking structure or underneath a building shall be exempt from maximum parking requirements.

C. All vehicle parking standards are based on gross square feet of building area, unless otherwise noted.

D. Pre-existing conditions:

1. Uses legally established on or before December 31, 1998 that have an insufficient number of parking spaces to comply with chapter 18.50 shall be considered in compliance with vehicular requirements for chapter 18.50. Required bicycle facilities must still be provided.

2. If a use legally established on or before December 31, 1998 changes or expands, the additional parking that would be required as a result of the change or expansion will still be required at the rate specified in this chapter. For example:

A use providing 8 spaces instead of the 10 required by code and which meets the requirements of this chapter, is thus in compliance. If the use changes or expands to one that would require 20 spaces (10 more than the current use) the parking generator is required to provide only 10 more spaces instead of the 12 spaces that would otherwise be required.

(Ord. O97-015, Added, 03/03/1998)



### **18.50.075 Modification of off-street parking space standards.**

A. Minor modifications – A modification to increase or decrease parking standards in Figure 18.50.070(A) by up to 10% shall automatically apply at the request of the project applicant.

B. Administrative modifications – A modification to increase or decrease the parking standard in Figure 18.50.070(A) by 10% to 40% shall be considered by the City at the request of the project applicant.

1. The criteria for an administrative modification request are set forth below:

a. The project developer shall present all findings, evidence, and reports to the community development director prior to any final, discretionary approvals; e.g., site plan approval, environmental review, or any planning, building or engineering permits.

b. Modification requests may be granted based on the effectiveness of proposed transportation demand management strategies, significance and magnitude of the proposed modification, and compliance with this chapter.

c. Modification requests may be denied or altered if the community development director has reason to believe, based on experiences and existing development practices, that the proposed modification may lead to excessive or inadequate parking or may inhibit or prevent regular and intended functions of either the proposed or existing use, or adjacent uses.

2. Submittal requirements – A report shall be submitted by the applicant providing the basis for more or less parking and will include the following:

a. For requests of up to 20%:

i. Describe site and use characteristics, specifically:

1. Site accessibility and proximity to transit infrastructure and transit times;

2. Site accessibility and proximity to bicycle and pedestrian infrastructure;

3. Shared and combined parking opportunities; and

4. Employee or customer density and transportation practices.

ii. Describe and demonstrate alternative transportation strategies such as carpooling, flexible work schedules, telecommuting, or parking fees, if used;

iii. Demonstrate compliance with Commute Trip Reduction measures as required by state law, if applicable;

iv. Identify possible negative effects on adjacent uses and mitigation strategies, if applicable; and

v. If increasing, employers with one hundred or more employees must meet the design and facility requirements in 18.50.060(L).

b. For requests greater than 20% and up to 40%:

i. Provide the contents of a 20% or less request;

ii. If increasing, provide a parking demand study prepared by a transportation engineer licensed in the State of Washington, which supports the need for more parking; and

iii. Increased parking in excess of 20% shall be banked in accordance with 18.50.100 for a minimum of 3 years.

iv. If decreasing, show that the site is within a 1/4 mile walk to transit service, or that it will be within 6 months of occupancy to be verified by Intercity Transit.

3. Administrative decisions may be appealed pursuant to TMC Chapter 14.08.

### **18.50.080 Administrative modification On-street parking credit.**

On-street parking credit – Properties not exclusively residential and located adjacent to a public right-of-way where on-street parking is permitted may receive credit for one off-street parking stall for each twenty linear feet of abutting right-of-way available for parallel parking, and 13.3 linear feet of abutting right-of-way available for diagonal parking; provided, that the public works director must approve a proposal for diagonal parking within the public right-of-way. This provision shall be applied for on-street parking on the same side of the street as the proposed land use, or on the opposite side of the street if the adjacent property does not have the potential for future development.

#### **A. General Provisions.**

1. An administrative modification of required off-street parking spaces must be received prior to issuance of building and engineering permits. Administrative decisions may be appealed pursuant to TMC Chapter 14.08.

2. Various methods to reduce or increase parking may not be combined to reduce or increase parking by more than forty percent. Any spaces gained through sharing, combining or on-site park and ride shall be counted toward total parking needs. For example:

a. Evidence is submitted to support a request for one hundred spaces in addition to the five hundred required.

b. Twenty percent administrative modification option is used equals one hundred additional spaces based upon five hundred total.

c. Combined parking opportunity equals twenty-five spaces.

d. Total number of additional stalls derived from administrative modification equals seventy-five spaces.

3. The project developer shall present all findings and completed worksheets to the community development director prior to any final, discretionary approvals; e.g., site plan approval, environmental review or any planning, building or engineering permits. The community development director shall authorize an increase in parking based upon compliance with subsection B of this section.

~~B.—Criteria for Modification of Required Parking. See Figure 18.50.080(A). In addition to the criteria for a decrease in required parking, the community development director may require that all or some administrative modification design requirements listed for increased parking be met (e.g., bike racks, landscaping, etc.), and require other measures to ensure all impacts associated with reduced parking are mitigated.~~

~~Any motor vehicle parking spill over which cannot be mitigated to the satisfaction of the community development director will serve as a basis of denial.~~

~~C.—Process for Modification of Required Parking. (Requests to reduce parking need only follow subsections (C)(1) through (3) of this section.)~~

~~1.—Submit evidence that decreased/increased parking is necessary. This may take the form of a brief report for all decreases and up to a twenty percent increase. The community development director may require additional studies to ensure negative impacts are properly mitigated. A more complete and detailed parking demand study is required for increases greater than twenty percent.~~

~~2.—Describe site characteristics, specifically:~~

- ~~a.—Site accessibility for transit; e.g., pullouts.~~
- ~~b.—Site proximity to transit with fifteen to thirty minute headway (time between buses).~~
- ~~c.—Shared use of on-site parking for park-and-ride.~~
- ~~d.—Shared use of off-site and adjacent parking.~~
- ~~e.—Shared use of new proposed parking by existing or future adjacent land uses.~~
- ~~f.—Combined on-site parking; e.g., shopping centers.~~
- ~~g.—Employee density (one hundred or more must meet state commuter trip reduction requirements).~~
- ~~h.—Adjacent uses.~~

~~3.—Determine if additional parking can be provided by shared and combined parking, on-site park-and-ride and commuter trip reduction measures.~~

~~4.—If additional parking is still desired, an administrative modification is required. For employers with less than one hundred employees, the site plan must meet design elements (a) and (b) of this subsection. For employers with one hundred or more employees, the site plan must meet design elements (a) through (h) of this subsection.~~

~~Requirements found below must be included in a project proposal to the satisfaction of the community development director prior to approving any administrative modification to increase parking. In those instances where site constraints impede design requirements, written findings of fact shall be made identifying site and project constraints, and shall be identified in the final project approval letter. In its findings, the community development director shall determine if a good faith effort has been made in building and site design in order to accomplish required design elements.~~

~~a.—Design internal roadway, parking area, and pedestrian paths to ensure access to public transportation.~~

~~b.—Barrier-free parking and preferential parking for employees who ride-share and for high occupancy vehicles (HOVs) shall be located near primary building entrances.~~

~~c.—Explore alternative parking lot designs to reduce impervious surfaces.~~

~~d.—Double the amount of required interior landscape within the parking lot (fifty percent of this requirement, if proven to be maintained, may be Grasscrete, Turfblock or other drivable pervious surface within areas receiving sporadic use: usually the furthest from the building entrance).~~

~~e.—Purchase and install a transit shelter to meet Intercity Transit operation needs unless already available within one-quarter mile (one thousand three hundred twenty feet) of the primary entry area to the building. This distance may be increased by Intercity Transit if located in lower density zones.~~

~~f.—Construct a transit pullout if subsection (C)(4)(e) of this section is used and if Intercity Transit finds it practical. Credit may be given for other Intercity Transit demand management strategies if a transit shelter and pullout are infeasible.~~

~~g.—Construct a covered bicycle rack with secure bicycle lockers.~~

~~h.—Create a transit ride-share information center and place it in a conspicuous place.~~

(Amended during 2011 reformat; O2011-002, Amended, 03/01/2011;

Ord. O97-015, Added, 03/03/1998)

## **18.50.090 Shared and combined parking facilities.**

### **A. Definitions and processes.**

1. “Combined parking” means two or more land uses or a multitenant building which have similar hours of operation, and which merge parking needs to gain a higher efficiency in vehicular and pedestrian circulation, economize space, reduce impervious surface and result in a superior grouping of building(s). Combined parking facilities shall qualify to decrease the number of parking spaces by 5% with compliance of this section.

2. “Shared parking” means two or more land uses or a multitenant building within close proximity (parking facility must be within 1,320ft of a primary entrance) which merge parking needs based on “different” operating hours to gain a higher efficiency in vehicular and pedestrian circulation, economize space, reduce impervious surface and result in a superior grouping of building(s).

a. When two or more land uses, or uses within a building have distinctly different hours of operation (e.g., office and church), such uses shall qualify for a shared parking credit equal to 100% of the less intensive use. Required parking shall be based on the use that demands the greatest amount of parking.

b. If two or more land uses, or uses within a building, have different daytime hours of operation (e.g., bowling alley and auto parts store), such uses shall

qualify for a total parking reduction of no more than fifty percent of the least intensive use.

B. General Provisions. The community development director may require an applicant to demonstrate that shared or combined parking is feasible when adjacent land uses have different hours of operation. The community development director may require a parking demand study to ensure sufficient parking is provided.~~Mixed use and shopping center developments with similar operating hours may also be required to submit a parking demand study to determine if parking can be combined.~~

~~1. Authority. In order to eliminate multiple entrances and exits, reduce traffic hazards, to conserve space and to promote orderly development, the community development director and hearing examiner are each hereby authorized to group cooperative parking facilities for a number of uses in such a manner as to obtain the maximum efficiency in parking and vehicular circulation.~~

12. Agreement. — If authorized by the community development director and approved by the city attorney, an agreement establishing shared, or combined, or banked parking use of a parking area, approved by the city attorney, shall be recorded with the county auditor's office. Such agreements shall:

a. Run with the land for all properties with shared or combined parking and require city approval for any change or termination, unless otherwise specified in the agreement.

b. Be established as a condition of the occupancy permit for uses relying on the parking agreement.

23. Termination of shared or Combined parking — or Shared Use. A shared or combined parking agreement shall not be terminated unless the community development department is notified at least 120 days prior to termination and one of the following actions is taken:

a. Alternative required parking is provided prior to the termination of the agreement; or

b. Administrative modifications or reduction options are approved to comply with the chapter prior to termination.

~~a. In the event that a combined or shared parking agreement is terminated, those businesses or other uses with less than the required parking shall notify the community development director within ten days and take one of the following actions:~~

~~i. Provide at least fifty percent of the required parking within one hundred eighty days, and provide the remaining required parking within three hundred sixty-five days following the termination of the shared or combined use; or~~

~~ii. Demonstrate, based upon a study deemed reliable by the director of community development, that the available parking is sufficient to accommodate the use's peak parking demand; or~~

iii. ~~Apply for and receive an administrative parking modification (see TMC 18.50.080).~~

b. ~~If sufficient parking is not provided, the use, or that portion of the use out of compliance with this chapter, shall be terminated upon the expiration of the time period specified in subsection (B)(3)(a)(i) of this section. This requirement shall be established as a condition of the occupancy permit for uses relying on combined or shared parking.~~

4. ~~Allocation.~~

a. ~~Shared Parking. For land uses in close proximity of each other that operate or are used at entirely different times of the day or week, the community development director may allow shared parking facilities to satisfy the parking requirements of such uses if the parking facilities are within one quarter mile (one thousand three hundred twenty feet) of all primary entry areas to buildings being served by such facilities.~~

i. ~~When two or more land uses, or uses within a building, have distinctly different hours of operation (e.g., office and church), such uses may qualify for a shared parking credit. Required parking shall be based on the use that demands the greatest amount of parking.~~

ii. ~~If two or more land uses, or uses within a building, have different daytime hours of operation (e.g., bowling alley and auto parts store), such uses may qualify for a total parking reduction of no more than fifty percent.~~

b. ~~Combined Parking. Two or more uses which have similar hours of operation and combine parking facilities may qualify to decrease the number of parking spaces (see Figure 18.50.090(A)). The combined parking facility must be cooperatively established and operated in accordance with subsection (B)(2) of this section. The community development director may require a parking demand study to ensure sufficient parking is provided.~~

(Amended during 2011 reformat; O2011-002, Amended, 03/01/2011;  
Ord. O97-015, Added, 03/03/1998)

**18.50.100 Banked parkingPenalty provision.**

A. “Land banked parking” or “banked parking” refers to land reserved through an administrative modification for future development as parking in lieu of providing required parking. The land shall be graded and have ingress and egress access but may, in compliance with the Tumwater Municipal Code, be landscaped or used for other purposes such as bicycle facilities, outdoor seating, or temporary sales.

B. Eligibility – New and existing parking requirements may be satisfied through banked parking provided the applicant demonstrates that banked parking will not cause a shortage that restricts the regular and intended functions of surrounding uses to be determined by the community development director. Existing parking may be eligible for redevelopment as banked parking if spaces are used less than 30 days per year. No more than 25% of the supplied parking shall be

converted to banked parking. Banked parking must complete a parking agreement in accordance with TMC 18.50.090(B)(1), and be capable of compliance with TMC 18.50.100(C)(2).

**C. Termination & Development**

1. The land owner may decide to replace banked parking with the required parking at any time, unless subject to 18.50.075(B)(2)(b)(iii) or otherwise specified.

2. The city shall have the right to require replacement of banked parking with required parking at any time if the community development director determines the use of banked parking inhibits regular and intended functions of surrounding uses, wherein the use shall provide required parking within 180 days.

3. After 3 years, the land owner may use an administrative modification to apply for removal of a banked parking reservation, after which the restriction on the land will be removed and reduced parking shall be allowed.

~~Any person found to have violated any of the provisions of this chapter shall be deemed to have committed a class 1 civil infraction pursuant to TMC Chapter 1.10.~~

~~Provided further, each day of continuing violation shall be considered a separate and distinct civil infraction.~~

(Ord. O2010-014, Amended, 06/15/2010; Ord. O97-015, Added, 03/03/1998)

**18.50.110 Purchased credits**

A. If the community development director determines that available public parking options, including on-street parking, exist within 500 feet, and the use is within the boundaries of the Brewery District or the Capitol Corridor, the land owner may voluntarily enter into an agreement with the city in which the land owner may purchase parking credits equal to providing parking stalls.

B. Purchased credits shall not exceed public parking commonly available within 500 feet of the main entrance during the use's normal business hours and shall not exceed 15% of the use's required parking.

C. Fees will be established by the City Council to reflect the costs of constructing and providing public parking, and will be intended to benefit public parking and multimodal transportation options.

**18.50.120 Required bicycle facilities**

The following requirements shall apply to any off-street parking area designed to accommodate ten or more vehicles and any non-single family/duplex development over 3000 square feet. This requirement excludes auxiliary buildings that are not a primary arrival location for employees, visitors, or residents, such as storage buildings.

A. Bicycle parking spaces shall be provided in accordance with figure 18.50.120(A). Bicycle facilities satisfying figure 18.50.120(A) shall meet the

following requirements. Bicycle facilities provided in excess of figure 18.50.120(A) shall only be required to meet subsection (A)(4) through (6):

1. Covered to protect bicycles from weather;
  2. Visible from primary entrances or provide signs indicating location;
  3. Illuminated;
  4. Secure to protect bicycles from theft through the use of racks, cages, lockers, or other approved methods;
  5. Located within 100 feet of primary entrances for employees, visitors, or residents unless combining with other uses on-site for convenience, in which case bicycle facilities shall be located within 200 feet of a primary entrance. Bicycle facilities should be located no farther away from the main entrance than the nearest non-accessible space.
  6. Accessible for bicycles, defined as the following:
    - a. Provide proper maneuvering space (usually a minimum of 24 inches) between landscaping, buildings, and other obstructions;
    - b. Not interfere with means of ingress or egress from the building; and
    - c. Accessible without using stairs.
- B. Short-term (class-2) bicycle facilities shall provide a secure and quickly accessible space to lock a bicycle to a bicycle rack.
1. Racks shall enable the use of a u-lock between the bicycle frame and the rack. Additionally, racks shall support the bicycle frame in two or more places (e.g., "Inverted U").
  2. Racks shall provide a bicycle parking space equal to 22 inches by 6 feet, unless placed side to side, in which case they may be placed 36 inches apart.
  3. Prohibited racks include grid/comb/wheelbenders which only secure a wheel, and wave/ribbon racks.
  4. Encouraged racks include inverted "U," "A," post and loop racks, and security rails.
  5. Long-term bicycle facilities provided in excess of the minimum requirements shall serve to meet up to 50% of short-term bicycle facility requirements at the request of the land owner.
- C. Long-term (class-1) bicycle facilities shall protect bicycles and their components from theft, unauthorized access, and weather. Examples include a lockable bike cage or class-1 bicycle lockers.
1. Each bicycle must be able to be individually locked or secured unless the facility is designed to only be used by an individual or family (such as in a private garage). If racks are used they must be compliant with 18.50.120(B).
  2. Bicycle lockers are encouraged, but no site should depend solely on bicycle lockers for long-term storage. Bicycle lockers should have a see-through window or view-hole to discourage improper use.
  3. Each residential unit shall have access to a long-term bicycle space.
- D. All major employers or major worksites as defined by RCW 70.94.524 shall provide a minimum of one shower and changing facility per gender.



E. Administrative modification – If, in the judgment of the community development director, required bicycle facilities are demonstrated by the project developer to be excessive for a the particular development given its use (such as with a residential care facility or rest home), or if there are unusual circumstances which preclude the establishment of required bicycle facilities, the community development director may allow reduced standards. Administrative decisions may be appealed pursuant to TMC Chapter 14.08.

**Figure 18.50.060(A)**

<b>REQUIRED-COMPOSITE-PARKING-MINIMUM DESIGN STANDARDS</b>					
<b>Angle</b>	<b>Stall Width (A)</b>	<b>*Stall Depth (B)</b>	<b>**Aisle Width (C)</b>	<b>Parking Module Width (D)</b>	<b>Interlock Reduction (E)</b>
45°	9' – 0"	17' – 4"	12' – 3"	46' – 11"	2' – 0"
50°	9' – 0"	18' – 4"	12' – 9"	48' – 9"	1' – 10"
55°	9' – 0"	18' – 6"	13' – 3"	50' – 31"	1' – 7"
60°	9' – 0"	18' – 10"	14' – 3"	51' – 11"	1' – 4"
65°	9' – 0"	19' – 0"	15' – 2"	53' – 2"	1' – 2"
70°	9' – 0"	19' – 2"	16' – 1"	54' – 5"	0' – 11"
75°	9' – 0"	19' – 0"	17' – 6"	55' – 6"	0' – 8"
90°	9' – 0"	18' – 0"	22' – 6"	58' – 4"	N/A

( ) Definitions for letters in parentheses appear in Figure 18.50.060(BA)

\* For accessible parking standards, refer to TMC Chapter 15.04.

\*\* If parking aisle also serves as a required fire lane, the minimum unobstructed width shall be twenty feet.

Figure 18.50.060(BA)

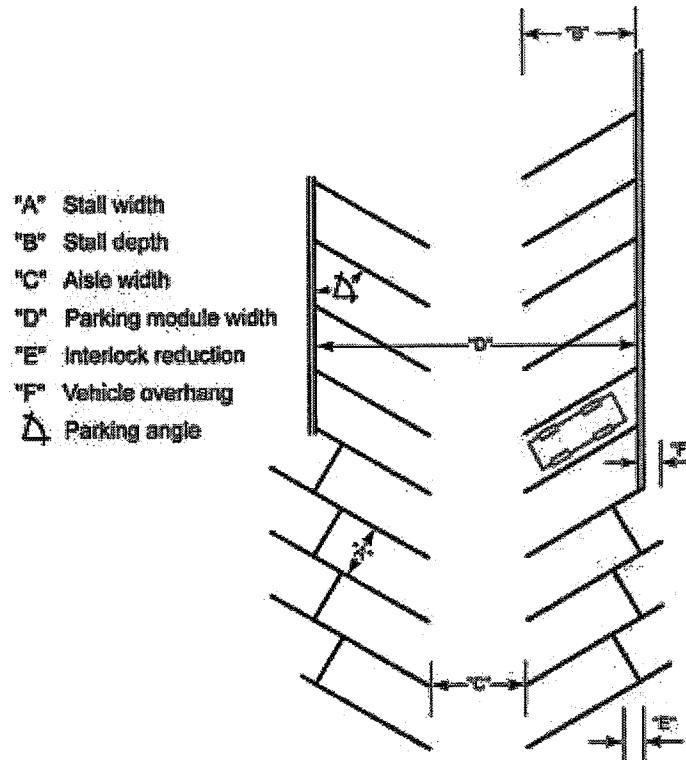


Figure 18.50.070(A)

RESIDENTIAL	NUMBER OF <u>PRESCRIBED</u> REQUIRED SPACES
Single-family dwelling (includes duplex and townhouse and designated manufactured homes)	Minimum of 2.0 spaces per dwelling unit.
Accessory dwelling	1.0 space per dwelling unit.
Studio apartment	1.0 space per dwelling unit.
Multifamily dwelling	1.5 spaces per <u>1-2 bedroom dwelling unit</u> , <u>2 spaces per 3+ bedroom dwelling unit</u> , plus 1.0 guest space for every 10 units.
Senior citizen apartment	1.0 space per 2 bedroom unit plus

	1.0 guest spaces for every 10 units.
Rooming/boarding house and bed and breakfasts	1.0 space for each guest bedroom and 2.0 spaces for the operator.
Group foster home	1.0 space for each staff member plus 1.0 space for every 5 residents. Additionally, 1.0 space shall be provided for each vehicle used in connection with the facility.
Adult family home	1.0 space in addition to the space(s) required for the residential unit.
Residential care facility	1.0 space for each staff member plus 1.0 space for every 5 residents. Additionally, 1.0 space shall be provided for each vehicle used in connection with the facility.
Designated manufactured home park	2.0 spaces per lot or unit, whichever is greater. In addition, if recreation facilities are provided, 1.0 space per 10 units or lots, whichever is greater.
Home occupation	1.0 space for each employee outside of the immediate family in addition to the spaces required for the dwelling unit. If the occupation requires any customers and/or clients to visit the premises, at least 2.0 additional spaces shall be provided.

COMMERCIAL	NUMBER OF <del>PRESCRIBED</del> REQUIRED SPACES
<u>Banks with drive-thru windows/ATM units</u>	3 per 1,000 square feet.
Beauty salon, barber shop	See Retail use.
Carpet and furniture showrooms	1.25 spaces per 1,000 square feet of gross showroom floor area. Each

	store shall have a minimum of 4 spaces.
Family child care home, child mini-day care center, child day care center	1.0 space for each staff member plus 1.0 space per 10 children. A facility located in a family residence must also provide required parking for a dwelling unit.
<u>Hardware and building materials retailer</u>	<u>2.75 spaces per 1,000 square feet.</u>
Hotel and motel	1.0 space for each room or suite and 1.0 space per manager's unit. Banquet and meeting rooms shall provide 6.0 spaces for 1,000 square feet of seating area. Restaurants are figured separately.
Laundromat, dry cleaner	See Retail use.
Market, shopping center, and large retail/wholesale outlet	Less than <del>15</del> 20,000 square feet = 3.5 spaces per 1,000 square feet of gross floor area. <del>15,000 to 400,000</del> Greater than 20,000 square feet = <del>4.0</del> 3.25 spaces per 1,000 square feet of gross floor area. <del>Greater than 400,000 square feet = 4.5 spaces per 1,000 square feet of gross floor area.</del>
Mini-storage facility	1.0 space for every 100 storage units and 2.0 spaces for permanent on-site managers with a minimum of 3.0 spaces for all facilities, regardless of size.
Mixed use	Shared or combined parking standards shall be used to calculate needed parking. This calculation is based upon the gross leasable area for each shop or business and does not include atriums, foyers, hallways, courts, maintenance areas, etc. See Shared and combined parking

	facilities, TMC 18.50.090.
Mortuary and funeral parlor	1.0 space per 75 square feet of assembly area or 13.0 stalls per 1,000 square feet of gross area, whichever is greater.
Offices, general	Gross floor area up to 2,000 square feet = 4.0 spaces per 1,000 square feet. GFA 2,001 to 7,500 square feet = 3.3 spaces per 1,000 square feet. GFA 7,501 to 40,000 square feet = 2.8 spaces per 1,000 square feet. GFA greater than 40,000 square feet = 2.5 spaces per 1,000 square feet.
Offices, government	3.5 spaces per 1,000 square feet.
Medical clinics	<del>6.0 spaces per 1,000 square feet.</del>
Retail use	3.5 spaces per 1,000 square feet.
<u>Automotive services (e.g., tire installation, lubrication, repair)</u> <del>Service station and public garage (mini-mart is a retail use)</del>	<u>The community development director may require a parking demand study or determine the standards that should be applied to the use in question.</u> <del>3.5 spaces per 1,000 square feet.</del>
Warehouse, distribution	1.0 space per <del>12,000</del> square feet, <u>or the community development director may require a parking demand study or determine the standards that should be applied to the use in question.</u>
Warehouse, storage	10,000 square feet or less = 1.0 space per <del>12,000</del> square feet; 10,001 to 20,000 square feet = 10.0 spaces plus 0.75 <del>spaces</del> for each additional <del>12,000</del> square feet; Over 20,000 square feet = 18.0 spaces plus 0.50 space for each additional <del>12,000</del> square feet; <u>or the community development director may require a parking</u>

	<u>demand study or determine the standards that should be applied to the use in question.</u>
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<b>RESTAURANT</b>	<b>NUMBER OF <u>PRESCRIBED REQUIRED</u> SPACES</b>
Drive-up stands (espresso, etc.)	2 spaces plus 1 lane for each drive-up window with stacking space for 3 vehicles. See TMC 18.43.075 for additional stacking lane requirements.
Cafe, bar and other drinking establishments	10.0 spaces per 1,000 square feet.
Car hop (auto borne customers served outside of building only)	1.0 space per 15 square feet.
Fast food	10.0 spaces per 1,000 square feet plus 1 lane for each drive-up window. See TMC 18.43.075 for stacking lane requirements.

<b>INDUSTRIAL</b>	<b>NUMBER OF <u>PRESCRIBED</u> <u>REQUIRED SPACES</u></b>
Manufacturing use	1.0 space for each 2 employees on the largest shift, with a minimum of 25.0 spaces, <u>or the community development director may require a parking demand study or determine the standards that should be applied to the use in question.</u>

<b><u>EDUCATIONAL</u></b>	<b>NUMBER OF <u>PRESCRIBED</u> <u>SPACES</u></b>
<u>Elementary and middle schools</u>	<u>1.0 space per 6 students at design</u>

	capacity.
<u>High school</u>	<u>1.25 spaces per classroom or office, plus 1.0 space per 4 students. Public assembly areas, such as auditoriums, stadiums, etc., that are primary uses may be considered a separate use.</u>
<u>Library and museum</u>	<u>5.0 spaces per 1,000 square feet of public floor area.</u>

<b>HEALTHCARE INSTITUTIONAL</b>	<b>NUMBER OF PRESCRIBEDREQUIRED SPACES</b>
<del>Elementary and middle schools</del>	<del>1.0 space per 6 students at design-capacity.</del>
<del>High school</del>	<del>1.25 spaces per classroom or office, plus 1.0 space per 3.5 students. Public assembly areas, such as auditoriums, stadiums, etc., that are primary uses may be considered a separate use.</del>
Hospital, sanitarium, nNursing home, congregate care, rest home, hospice care home and mental health facility	1.0 space per <del>4</del> 2 regular beds, plus 1.0 space for every 2 regular employees on the largest shift.
<del>Library and museum</del>	<del>5.0 spaces per 1,000 square feet of public floor area.</del>
<u>Medical clinics</u>	<u>5.0 spaces per 1,000 square feet.</u>

<b>PLACES OF ASSEMBLY</b>	<b>NUMBER OF PRESCRIBEDREQUIRED SPACES</b>
Church	1.0 space per 4 seats or 1.0 space per 6 feet of bench or other seating. 6.0 spaces/1,000 square feet of

	assembly area where seats or pews are not provided or when circumstances warrant increased parking, such as a church which attracts a large, regional congregation or one which has multiple functions. See Shared and combined parking facilities, TMC 18.50.090.
Private club or lodge	6.0 spaces per 1,000 square feet.
Theater and auditorium	1.0 space per 4.5 fixed seats. If the theater or auditorium is a component of a larger commercial development, the above parking standard may be modified to account for shared or combined parking; TMC 18.50.090.
Theater and auditorium without fixed seats	1.0 space per 3 permitted occupants.

RECREATION AND AMUSEMENT	NUMBER OF PRESCRIBED REQUIRED SPACES
Bowling alley	5.0 spaces per alley.
Health club	5.0 spaces per 1,000 square feet.
Skating rink and other commercial recreation	5.0 spaces per 1,000 square feet.

(Ord. O2011-006, Amended, 11/15/2011)

**Figure 18.50.080(A)**

<del>DECREASE OR INCREASE UP TO 20%</del>	<del>DECREASE OR INCREASE UP TO 40%</del>
<del>The community development director may allow up to a 20% decrease or increase in required parking after:</del>	<del>The community development director may allow up to a 40% decrease or increase in required parking after:</del>



<b>DECREASE OR INCREASE UP TO 20%</b>	<b>DECREASE OR INCREASE UP TO 40%</b>
1. <del>Shared and combined parking opportunities are fully explored; and</del>	1. <del>Shared and combined parking opportunities are fully explored; and</del>
2. <del>On site park and ride opportunities are fully explored; and</del>	2. <del>On site park and ride opportunities are fully explored; and</del>
3. <del>Compliance with commute trip reduction measures as required by state law, if applicable; and</del>	3. <del>Compliance with commute trip reduction measures as required by state law, if applicable; and</del>
4. <del>The site is no closer than 300 feet from a single family residential zone; or</del>	4. <del>*The site is no closer than 300 feet from a single family residential zone; or</del>
5. <del>**Design and facility requirements listed in TMC 18.50.080(C)(4) are met; and</del>	5. <del>**Design and facility requirements listed in TMC 18.50.080(C)(4) are met; and</del>
6. <del>A report is submitted providing a basis for more or less parking. A report providing a basis for less parking must also provide mitigation necessary to offset any negative effects.</del>	6. <del>For a decrease request, a report is submitted providing a basis for less parking and mitigation necessary to offset any negative effects. For an increase request, a parking demand study, prepared by a transportation engineer licensed in the state of Washington, is submitted which supports the need for more parking.</del>
-	7. <del>*The site is served by transit or will be served within 6 months of occupancy (within 1/4 mile (1,320 feet) of the primary entry area to the building).</del>

~~\*Parking decrease only. \*\*Parking increase only.  
(Ord. O2011-002, Amended, 03/01/2011; Ord. O2008-016, Amended,  
09/16/2008; Ord. O2006-019, Amended, 08/15/2006)~~

**Figure 18.50.090(A)**

<b>Combined Parking Allowed Decrease in Parking Spaces</b>	
Two uses:	Five percent reduction
Three uses:	Ten percent reduction
Four or more uses:	Fifteen percent reduction

**Figure 18.50.120(A)**

<b>Required Bicycle Parking Spaces</b>	
<u>Short-term (class 2) bicycle facilities:</u>	
<u>Parking areas or buildings with less than 150 vehicular parking spaces</u>	<u>2 spaces or 5% of vehicular spaces, whichever is greater</u>
<u>Parking areas or buildings with 150 or more vehicular parking spaces</u>	<u>8 spaces or 3% of vehicular spaces, whichever is greater</u>
<u>Residential Uses</u>	<u>2 spaces or 1 space per 4 units, whichever is greater</u>
<u>Long-term (class-1) bicycle facilities:</u>	
<u>Commercial, industrial, and institutional uses or parking areas providing 50 or more vehicular parking spaces</u>	<u>1 space per 50 vehicular spaces, plus 1 space per 100 additional vehicular spaces</u>
<u>Residential Uses</u>	<u>1 space per 4 units</u>

**Section 2. Corrections.** The City Clerk and codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 3. Ratification.** Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

**Section 4. Severability.** The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

**Section 5. Effective Date.** This ordinance shall become effective thirty (30) days after passage, approval and publication as provided by law.

ADOPTED this 7th day of October, 2014.

CITY OF TUMWATER



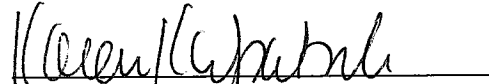
Pete Kmet, Mayor

ATTEST:



Melody Valiant, City Clerk

APPROVED AS TO FORM:



Karen Kirkpatrick, City Attorney

Published: 10-09-2014

Effective Date: 11-08-2014